

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: DANIEL J. PRUSSMAN and : CHAPTER 13
NICOLE M. PRUSSMAN :
Debtor(s) :
: CHARLES J. DEHART, III :
STANDING CHAPTER 13 TRUSTEE :
: vs. :
: DANIEL J. PRUSSMAN and :
NICOLE M. PRUSSMAN :
Respondent(s) : CASE NO. 5-17-bk-01246

TRUSTEE'S OBJECTION TO AMENDED CHAPTER 13 PLAN

AND NOW, this 18th day of December, 2017, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required. More specifically,

Trustee alleges and avers that debtor(s)' disposable income is greater than that which is committed to the plan based upon the Means Test calculation and specifically disputes the following amounts:

- a. Mortgage payments on surrendered mortgage not permitted – Line 33.
- b. Plan payment calculation sum of Lines 34, 35, 36, 45. More specifically, base plan amount should be \$26,360.00.
- c. Transportation ownership expense – Line 13 - surrendered car.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036

CERTIFICATE OF SERVICE

AND NOW, this 18th day of December, 2017, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Kim Diddio, Esquire
17 N. 6th Street
Stroudsburg, PA 18360

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee